

REGULAR CITY COUNCIL MEETING MINUTES
JUNE 1, 2009, 5:30 P.M.
CITY COUNCIL CHAMBERS

The City Council of Newton, Iowa met in regular session at 5:30 P.M. on the above date in the Council Chambers at 101 West 4th Street South. Mayor Allen presided. Present: Council members Plumb, Hansen, Julius, Foreman, Morris, Mullan. Absent: None

There was no citizen participation.

Angela Hotchkin, Alliant Energy, presented the Community Involvement and Investment Report. Hotchkin highlighted electric infrastructure investments in Newton, Newton and Jasper County Property Taxes, Newton Energy-Efficiency Program Involvement and the Newton and Jasper County Tree Planting Program Participation.

Moved by Morris, seconded by Mullan, to approve consent agenda items 3 - 6.

3. Approve May 11, 2009 Special City Council Meeting Minutes and May 18, 2009 Regular City Council Meeting Minutes
4. Approve Resolution Appointing Lynette Birkenholtz To Serve On The Zoning Board Of Adjustment For The Unexpired Term Ending December 31, 2010. Resolution No. 2009 – 059 adopted.
5. Approve Cigarette Permits submitted from Hy-Vee, 1501 First Avenue East, Git-N-Go, 801 First Avenue West, Walgreen's 1204 First Avenue East, Fareway, 120 North 3rd Avenue East, Kum & Go # 333, 405 First Avenue East, Kum & Go # 47, 1708 South 8th Avenue East, Prairie Gas, 4300 South 22nd Avenue East
6. Approve Class C Liquor License, Sunday Sales, Outdoor Service Area, Newton Country Club, 601 West 12th Street South

AYES: Six. NAYS: None. Consent agenda approved.

Moved by Julius, seconded by Mullan, to Introduce a Resolution Approving Rules, Regulations And Payment For Property Protection Pilot Program. Hansen stated he felt before this resolution should be adopted, we need to find out how the water is getting in and include the entire city in the program. Julius noted this is just a band-aid; we need to follow through inspecting the sewer lines with the camera. Foreman reiterated the fact that some individuals have already installed the check valves. Darrin Hamilton, City Attorney/Acting City Administrator, stated per City Council direction staff has prepared this program modeled after the City of Boone, specifically in the area in question; it could be amended to include the entire City. Hamilton went on to note Newton's program would reimburse qualifying homeowners expenses paid to install a backwater (or check) valve at their property, for installations that were started and completed from July 1, 2008 to June 30, 2010. Discussion ensued by Council Members. Motion by Foreman, seconded by Hansen, to table the resolution so staff can inspect the lines with the sewer cameras and figure out the inflow and infiltration. AYES: Foreman, Hansen, Plumb. NAYS: Morris, Mullan, Julius. The resolution to table failed. Foreman called for the question. Mayor Allen asked for the roll call vote on the original motion. AYES: Julius, Morris, Mullan. NAYS: Foreman, Plumb, Hansen. Resolution failed.

Moved by Plumb, seconded by Foreman, to Introduce a Resolution Approving Iowa Department Of Transportation Federal Recovery And Surface Transportation Program Agreement. AYES: Six. NAYS: None. Resolution No. 2009 – 060 adopted.

Moved by Mullan, seconded by Hansen, to Introduce a Resolution Authorizing Staff To Proceed With Engineering To Rehabilitate The 800 – 1000 Block Of West 9th Street South. Hansen stated he had previously visited with the Public Works Director, and David feels comfortable with option # 3 – 7" asphalt reconstruction 6" granular base. I would recommend going with option # 3. The Public Works Director reviewed all the options with Council along with their life span. Foreman noted he was looking at funding these street projects with the Whirlpool funding. He also stated he did not want to spend over \$250,000 of that funding, as he felt we should save half of that revenue in case of an emergency. It was noted to go with option # 3 for \$117,900 and do the engineering in house. AYES: Four. NAYS: Plumb, Foreman. Resolution No. 2009 – 061 adopted.

Moved by Hansen, seconded by Mullan, to Introduce a Resolution authorizing Staff To Proceed With Engineering To Rehabilitate The 100 – 300 Block Of East 17th Street North. Hansen stated he was in favor of option # 3 for \$220,698. Foreman and Plumb both noted they only wanted to use half of the Whirlpool money for these two street projects. Traffic counts were discussed for both streets. AYES: Four. NAYS: Foreman, Plumb. Resolution No. 2009 – 062 adopted.

Moved by Hansen, seconded by Foreman, to Introduce a Resolution Authorizing Park Director To Proceed With Plans Involved With The Renovation Of The Maytag Park Children's Shelter Restrooms. Foreman stated he would like to use the hotel / motel tax to pay for this project. AYES: Six. NAYS: None. Resolution No. 2009 – 063 adopted.

Moved by Foreman, seconded by Julius, to Introduce a Resolution Setting Public Hearing, Inviting Proposals, And Stating Intent To accept Purchase Proposal For Property At 2009 1st Avenue

East in Newton. Foreman stated in the future we should not be paying a realtor commission. Mullan asked the value of the property. Bryan Friedman, Community Development Director, stated the current value is \$0.00, but the Assessor records indicate it had been valued at \$115,000, which had some adjoining property. Hansen stated this sale would get it back on the tax rolls. AYES: Six. NAYS: None. Resolution No. 2009 – 064 adopted.

Moved by Plumb, seconded by Mullan, to Introduce a Resolution Authorizing The Newton Fire Department To Utilize Excess FEMA Funding For The Purchase Of Equipment Not To Exceed \$1,691.76 To Enhance The Departments Communication Equipment. AYES: Six. NAY: None. Resolution No. 2009 – 065 adopted.

Under new business, Morris stated last year he had made some complaints about the union cemetery, he went on to note, this year I would like to commend David Stewart and Jim Kling for the appearance of the cemetery.

Under old business, a discussion ensued on nuisance complaints on tall grass.

Moved by Foreman, seconded by Plumb, to adjourn the meeting at 6:23 p.m. Motion unanimously carried by voice vote.

Charles Allen, Mayor

Candice Van Zee, CMC
City Clerk